

Salmon Creek Development Information Sheet

Updated -- April 19, 2003



Since December 2001, there has been a ban on filing applications for development, such as dividing land or developing a site, in some parts of the Salmon Creek area. This ban, or moratorium, was needed because there were no reasonable solutions to traffic problems on NE 134th Street and Salmon Creek Avenue, east of Interstate 5. To approve development, the county needs to find that there is transportation capacity for the trips created by the approved development—in other words, that there is adequate transportation infrastructure in place for the area to be able to handle the additional traffic.. If that transportation capacity is available or is going to be available within three years of the development, the county can approve the development; the development and the transportation system are “concurrent.” Concurrency has been a problem in the Salmon Creek area of the county, and the county declared a moratorium.

On April 15, 2003, the Board of County Commissioners adopted Ordinance 2003-04-16, which amended the previously adopted Ordinance 2003-04-09 lifting the Salmon Creek transportation moratorium. Together the ordinances:

- Amend the county’s long range plan for transportation facilities and funding;
- Amend the Salmon Creek Avenue corridor concurrency standard to 13 miles per hour;
- Reserve 500 trips on an emergency basis for industrial and commercial land uses;
- Allow applications in process to use the new concurrency standard without filing a separate application; and
- Provide that application processing timelines may be extended if too many applications are filed.

This information sheet provides answers to common questions raised by this action.

Q: *Can I file an application?*

A: Yes. There is no restriction on filing an application.

Q: *What will happen after I file my application?*

A:For the most part, applications will follow the normal process. There are two complications that applications in this part of the county may face:

1. The language of the ordinance does not make approval “automatic.” If your application is for a commercial or industrial use, your application would make use of the reserved capacity (the 500 trips) if that capacity remains available in the corridor when your application is tested for concurrency. Residential land uses will be tested for concurrency as if those 500 trips were already on the roadway.

2. The expiration of the moratorium may trigger more applications than staff can reasonably process within the time specified in county code. The ordinance allows the Director of Community Development to extend timelines after consulting the Board of County Commissioners. This authority expires on May 24, 2003.

Q: *How many trips are really available?*

A: The lowered level of service and counting roadway improvements expected over the next three years made room for approximately 1000 additional p.m. peak hour trips on the Salmon Creek corridor. We estimate that about 576 of those additional trips are already being held for existing pre-applications and other in-process developments affecting the corridor. As noted above, the Board also reserved 500 trips for industrial and commercial land uses. We estimate that approximately 235 trips are currently available for newly proposed residential development. However, should industrial and commercial development exhaust the 500 trips that are reserved, such uses would also be competing with residential proposals for remaining road capacity.

Please note that this is an estimate based on the submissions to the county made prior to April 8, 2003. These numbers are very likely to change.

Q: *If the number of trips is subject to change, who decides if my development meets concurrency requirements?*

A: Applications get considered for capacity on a first come, first served basis. Applications join the line for consideration based on when the application is ready to be reviewed by staff (the date an application is determined to be “fully complete”). Whether your development meets concurrency will depend on:

- When you submit your application;
- The number and size of applications submitted ahead of yours; and
- The status of applications already being considered for approval.

Transportation concurrency staff makes the determination during the review period for your application. If it appears that your application will not meet concurrency requirements, staff contacts you or your designated representative prior to recommending that your application be denied.

Q: *How long will this situation continue?*

A: Transportation capacity will continue to be scarce for the foreseeable future. The county is in a comprehensive plan review process that may produce a more permanent solution to this issue – either through further adjustment to the level of service standard, increased revenue for transportation improvements or changes in zoning of the land served by this corridor.

Q: *If the transportation concurrency circumstances for the Salmon Creek corridor prevent approval of my project, will I be eligible for a refund of any fees paid?*

A: Clark County charges development review fees to recover 90 percent of the costs of processing applications. The review of your application incurs those costs regardless of whether your project is approved. As such, we can only refund fees based on the amount of work that has been done on your application, not based on an approval or denial decision. If you want details of the fee refund policy, please ask Customer Service staff for "MD-DS300 ISSUING REFUNDS FOR PRELIMINARY PLAN REVIEWS."

Q *I have questions that you didn't cover. Who can I talk to?*

A: If your questions are regarding the Salmon Creek corridor and transportation concurrency issues, please contact **Evan Dust, Program Manager II, Long Range Planning Division (360) 397-2375 ext. 4913** (Evan.Dust@clark.wa.gov). If you have other development-related questions, please contact our Customer Service Division information line (360) 397-2375 ext. 4489